

REMARKS

Favorable consideration and allowance are requested for claims 7, 8, and 10 in view of the following remarks.

Status of the Application

Claims 7, 8, and 10 are pending in this application. Claims 1-6 were previously withdrawn. Claim 9 was previously canceled. Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent No. 5,293,163 to Kakihara *et al.* (the “Kakihara patent”) in view of Japanese Patent Publication No. JP 11-281378 to Mizushima (the “Mizushima publication”). Claims 8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable by Kakihara patent in view of the Mizushima publication and U.S. Patent No. 5,874,905 to Nanba *et al.* (the “Nanba patent”). Claim 7 has been amended.

Rejection under 35 U.S.C. § 103(a)

According to the Examiner, the combination of the Kakihara patent and the Mizushima publication renders claim 7 obvious. In response, Applicants respectfully submit that neither of the references discloses the statistical reliability of the traffic jam statistical information. The specification of the present invention discloses that the statistical reliability of traffic jam statistical information can be shown by modifying the circumference of a circle demonstrating traffic jam frequency:

In the above example, although when changing the scale of the map to be displayed, the traffic jam degree to be displayed is selected by being parallelized with the intersection according to a

largeness/smallness of the traffic jam degree, it is acceptable to select it based on a reliability of a traffic jam situation described later. In this case, by displaying a traffic jam situation on a map with restricting traffic information with over a constant value of a reliability, it is possible to grasp an outline with a high reliability relating to the traffic jam situation when displaying the map being diminished.

Although the embodiment shows an example where the circle size is selected according to the traffic jam occurrence frequency, the circle size may be determined according to an average traffic jam degree in a point in question. Or else a display changed depending on information (occurrence frequency or average traffic jam degree) relating to the traffic jam situation may be a circle color instead of the circle size, and their combination. *Moreover, taking into consideration a data reliability in addition to the information relating to the traffic jam situation, a circumference portion of a displayed circle may be displayed in a solid line or a broken line.* For example, a solid line 400 signifies that the data reliability is comparatively high; a broken line 406 signifies that the data reliability is comparatively low. Here, the data reliability corresponds to a repeatability of the traffic jam statistical information, and when the repeatability is high and a probability that the repeatability largely changes depending on a day is small, the reliability becomes high.

The reliability is determined by a variance (or standard deviation) of values such as traffic jam occurrence time in each day, an average traffic jam rank, or travel time. For example, for a road with a certain link ID, when each traffic jam occurrence time per hour from 10 a.m. to 11 a.m. for five days of weekdays is 0, 15, 20, 20, and 50 minutes, their standard deviation is 18.1659 minutes. By comparing it with a threshold, a plurality of classifications can be possible for the reliability. Examples of thresholds may be as follows: a standard deviation 0 to less than 10 minutes, a rank 1 (high reliability); a standard deviation 10 to less than 20 minutes, a rank 2 (middle

reliability); a standard deviation not less than 20 minutes, a rank 3 (low reliability); and the like.

Specification at page 27, line 9 to page 28, line 15 (emphases added).

The Kakiyama patent does not even disclose traffic jam statistical information – as acknowledged by the Examiner – let alone the statistical reliability of that information. In particular, the Kakiyama patent is directed to determining whether various data related to road information are important enough to be displayed. *See, e.g.*, Kakiyama patent at col. 1, line 65 to col. 2, line 3; col. 8, lines 11-16. Even though the Kakiyama patent discloses obtaining traffic jam information, choosing whether or not to display it is merely based on the length of the traffic jam, *see id.* at col. 8, lines 21-26, not on the reliability of the underlying data. Therefore, Applicants respectfully submit that the “importance” of information disclosed in the Kakiyama patent has nothing to do with the “reliability” of information recited in the pending claims.

Further, the Examiner does not point to any teaching in the Mizushima publication directed to the reliability of traffic jam statistical information because there is none. The Mizushima publication merely discloses “prediction means 11 for predicting the increase/decrease in the degree of traffic jam.” Mizushima publication, abstract (English translation from Japanese Patent Office website). The Mizushima publication, however, does not disclose the reliability of any such information.

For at least these reasons, Applicants respectfully submit that the rejection of claim 7 should be withdrawn. Further, as the Namba patent does

not disclose the subject matter missing from the Kakiyama patent and the Mizushima publication with respect to claim 7, the rejection of claims 8 and 10 should be withdrawn as well.

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If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029118.53153US).

Respectfully submitted,

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